

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16982 of 2015

Arising Out of PS.Case No. -114 Year- 2014 Thana -SANDESH District- BHOJPUR

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1. Mangru Upadhyay Son of Sri Brij Kumar Upadhyay @ Brij Upadhyay,
Resident of village- Bachary, P.S.- Sandesh, District- Bhojpur (Bihar)

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Tiwary

For the Opposite Party/s : Mr. G.S.Gupta(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 06-08-2015 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner being husband of the deceased is languishing
in jail custody since 20.10.2014 in a case registered under section
304B/34 of the Indian Penal Code and after investigation, police
submitted charge sheet under the above stated sections.

It is surprisingly enough that the case was registered
under section 304B/34 of the Indian Penal Code, particularly, in
the circumstance when the informant, specifically, claimed that
the marriage of the deceased was solemnized in the year 2006 and
she died on 08.08.2014 i.e beyond seven years of her marriage. It
is also surprisingly enough that not only the S.H.O who registered
the case but concerned Dy.S.P and S.P also over looked the above

stated fact. Moreover, in course of investigation, several witnesses stated that deceased died of her ailment.

Accordingly, the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Bhojpur at Arrah in connection with Sandesh P.S.Case No. 114 of 2014.

(Hemant Kumar Srivastava, J)

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